

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

November 30, 2009

- C058916 THE PEOPLE v. (Not For Publication)**
DAVID JAMES BONDE
The judgment is modified to strike the \$10,000 Penal Code section 1202.45 parole revocation restitution fine. ... In all other respects, the judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J.
- C060443 THE PEOPLE v. (Not For Publication)**
ROY LAVON SWEARENGIN
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Sims, J.
- C061290 THE PEOPLE v. (Not For Publication)**
DASHANNA MARIE REED
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Hull, J.
- C058026 HOLBERT v. FREMONT (Certified For Partial Publication)**
INVESTMENT & LOAN
The judgment is affirmed.
HULL, J.
We Concur: Blease, Acting P.J.
Robie, J.
- C058947 SUNSET RANCHOS INVESTORS, LLC v. (Not For Publication)**
MOLLISON et al.
The judgment is reversed and the matter remanded to the trial court for such further proceedings as are appropriate. Plaintiff is awarded its costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) .)
HULL, J.
We Concur: Blease, Acting P.J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

December 1, 2009

**IN THE
Court of Appeal of the State of California**

**IN AND FOR THE
THIRD APPELLATE DISTRICT**

**Special Calendar for Admission of Attorneys
Sheraton Grand Sacramento Hotel
Magnolia Room
1230 J Street
Sacramento**

Tuesday, December 1, 2009, 10:00 a.m.

HON. Vance W. Raye	Acting Presiding Justice
HON. Harry E. Hull, Jr.	Associate Justice
HON. Tani Cantil-Sakauye	Associate Justice
Ms. Colette M. Bruggman	Assistant Clerk/Administrator
Ms. Kathy Wojnarowski	Assistant Deputy Clerk
Mr. Ben Haskett	Bailiff

Seating of State and local Bar representatives.

Court called to order by Mr. Ben Haskett.

Acting Presiding Justice Vance W. Raye welcomes admittees and introduces speakers.

Mr. Larry Sheingold, representing the Committee of Bar Examiners of the California State Bar, speaks to admittees and presents motion for admission.

Mr. Paul Kramer, Jr., representing the Board of Governors of the California State Bar, speaks to admittees.

Mr. Michael N. Mills, President of the Sacramento County Bar Association, speaks to admittees.

Associate Justice Harry E. Hull, Jr. speaks to admittees.

Associate Justice Tani Cantil-Sakauye speaks to admittees and reads from Section 6068 of the Business & Professions Code.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

December 2, 2009, Continued

- C062292 THE PEOPLE v. WILLIE DABNEY (Not For Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
Hull, J.
- C062327 THE PEOPLE v. STEVEN DONALD TABER (Not For Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.
- C058975 DONLEY v. DAVI, as Commissioner, etc. (Not For Publication)**
The judgment is affirmed. Costs on appeal are awarded to respondent.
(Cal. Rules of Court, rule 8.278 (a) (1) .)
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C059983 SINGH et al. v. CITY OF STOCKTON et al. (Not For Publication)**
The judgment is reversed with directions to the trial court to issue a writ of mandate commanding the City to set aside its decision of December 12, 2006 revoking the Singhs' nonconforming use status. The previously issued stay, having served its purpose, is dissolved. The Singhs shall recover costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (2) .)
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Raye, J.
- C056083 In re DAVID EARL GRAY on Habeas Corpus.; THE PEOPLE v. DAVID EARL GRAY (Certified For Publication)**
Let a writ of habeas corpus issue giving Gray the opportunity, within 30 days after the finality of this opinion, to file in the clerk's office of the Sacramento County Superior Court, a notice of appeal from the judgment rendered on July 16, 2007, in *People v. David Gray*, Sacramento County Superior Court case No. 05F09779. ... Having served its purpose, the order to show cause is discharged.
SCOTLAND, P.J.
We Concur: Blease, J.
Sims, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

December 3, 2009

- C056767 THE PEOPLE v. ERNESTO BECERRA ESPINOZA (Not For Publication)**
The judgment is affirmed.
NICHOLSON, J.
We Concur: Sims, Acting P.J.
Robie, J.
- C058613 THE PEOPLE v. DANIEL AGUILAR et al. (Not For Publication)**
The judgments are affirmed.
BLEASE, Acting P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.
- C061562 THE PEOPLE v. EUGENE FRANKLIN CARLISLE (Not For Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment to indicate that defendant admitted a strike conviction, and to forward to the Department of Corrections and Rehabilitation a certified copy of the corrected abstract of judgment.
RAYE, J.
We Concur: Sims, Acting P.J.
Nicholson, J.
- C058356 BERMUDEZ et al. v. FULTON AUTO DEPOT, LLC, et al. (Certified For Publication)**
The judgment is affirmed. The defendants are awarded their costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (2) .)
NICHOLSON, J.
We Concur: Scotland, P.J.
Robie, J.
- C060318 EL DORADO COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES v. ELLINWOOD; WILFONG (Not For Publication)**
The judgment is affirmed. Wilfong shall reimburse Ellinwood for his costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) .)
NICHOLSON, Acting P.J.
We Concur: Robie, J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

December 4, 2009, Continued

**C058944 MARTIN BROTHERS CONSTRUCTION, (Certified For Publication)
INC. v. THOMPSON PACIFIC
CONSTRUCTION, INC., et al.**

The judgment is affirmed. Costs on appeal are awarded to respondents.
(Cal. Rules of Court, rule 8.278 (a) (1) . .)

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.

Raye, J.

C059921 HERENDEEN v. WATSON (Not For Publication)

The judgment issuing the DVRO is affirmed. Herendeen is awarded her costs of this appeal. (Cal. Rules of Court, rule 8.278 (a) (1) . .)

NICHOLSON, Acting P.J.

We Concur: Robie, J.

Butz, J.

**C058592 LOPEZ, a Minor, etc., et al. v. (Certified For Publication)
DAIMLER CHRYSLER CORPORATION,
et al.; DEPARTMENT OF HEALTH CARE
SERVICES**

THE COURT:

The opinion in the above-entitled matter filed on November 5, 2009, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

BY THE COURT:

SCOTLAND, P.J.

Raye, J.

Robie, J.